

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-00708-CKK

ALLEN v. FEDERAL BUREAU OF PRISONS
Assigned to: Judge Colleen Kollar-Kotelly
Case: 1:17-cv-01197-CKK
Cause: 05:552 Freedom of Information Act

Date Filed: 04/14/2016
Jury Demand: None
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**ISAAC KELVIN ALLEN**

represented by **ISAAC KELVIN ALLEN**
49476-018
JESUP FEDERAL CORRECTIONAL
INSTITUTION
Federal Satellite Low
2680 Highway 301 South
Jesup, GA 31599
PRO SE

V.

Defendant**FEDERAL BUREAU OF PRISONS**

represented by **Daniel Patrick Schaefer**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 04/14/2016 | <u>1</u> | COMPLAINT against FEDERAL BUREAU OF PRISONS filed by ISAAC KELVIN ALLEN. (Attachments: # <u>1</u> Civil Cover Sheet)(td) (Entered: 04/15/2016) |
| 04/14/2016 | <u>2</u> | MOTION for Leave to Proceed in forma pauperis by ISAAC KELVIN ALLEN (td) (Entered: 04/15/2016) |
| 04/14/2016 | <u>3</u> | PRISONER STATEMENT by ISAAC KELVIN ALLEN (td) (Entered: 04/15/2016) |
| 04/14/2016 | <u>4</u> | ORDER directing an initial partial filing fee in the amount of \$28.47 from Prison Account of ISAAC KELVIN ALLEN and granting MOTION for Leave to Proceed In Forma Pauperis (see order for full details). Signed by Judge Rudolph Contreras on 4/12/16. (td) (Entered: 04/15/2016) |
| 04/15/2016 | <u>5</u> | ORDER Establishing Procedures for Cases Assigned to Judge Colleen Kollar-Kotelly. Signed by Judge Colleen Kollar-Kotelly on April 15, 2016. (NS) (Entered: 04/15/2016) |
| 04/19/2016 | <u>6</u> | SUMMONS (3) Issued as to FEDERAL BUREAU OF PRISONS, U.S. Attorney and U.S. Attorney General (md) (Entered: 04/19/2016) |
| 05/05/2016 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/29/16. (td) (Entered: 05/06/2016) |
| 05/19/2016 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/12/2016. (|

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| | | Answer due for ALL FEDERAL DEFENDANTS by 6/11/2016.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF PRISONS served on 5/12/2016 (td) (Entered: 05/19/2016) |
| 06/07/2016 | <u>9</u> | NOTICE of Appearance by Daniel Patrick Schaefer on behalf of All Defendants (Schaefer, Daniel) (Entered: 06/07/2016) |
| 06/07/2016 | <u>10</u> | MOTION for Extension of Time to File Answer re <u>1</u> Complaint by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 06/07/2016) |
| 06/08/2016 | | MINUTE ORDER: Defendant's <u>10</u> Motion for Extension of Time is granted, and the FEDERAL BUREAU OF PRISONS shall file its answer or other response to the complaint by 7/13/2016. Signed by Judge Colleen Kollar-Kotelly on 6/8/16. (ms) (Entered: 06/08/2016) |
| 06/08/2016 | | Set/Reset Deadlines: Answer or other response to the complaint due by 7/13/2016. (dot) (Entered: 06/08/2016) |
| 07/13/2016 | <u>11</u> | WITHDRAWN PURSUANT TO NOTICE FILED 8/15/2016..... MOTION to Dismiss <i>or Alternatively for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Statement of Facts, # <u>5</u> Text of Proposed Order)(Schaefer, Daniel). Added MOTION for Summary Judgment on 7/14/2016 (znmw). Modified on 8/16/2016 (znmw). (Entered: 07/13/2016) |
| 07/21/2016 | <u>12</u> | Order advising plaintiff to respond by 8/15/2016 to defendant's <u>11</u> MOTION to Dismiss or Alternatively for Summary Judgment, or the Court may treat the motion as conceded. Signed by Judge Colleen Kollar-Kotelly on 7/21/16. (ms) (Entered: 07/21/2016) |
| 07/21/2016 | | Set/Reset Deadlines: Plaintiff to Response to <u>11</u> by 8/15/2016. (dot) (Entered: 07/21/2016) |
| 08/04/2016 | <u>13</u> | MOTION to Deny Defendant's Motion to Dismiss and/or Summary Judgment by ISAAC KELVIN ALLEN (td) (Entered: 08/05/2016) |
| 08/04/2016 | <u>14</u> | Memorandum in opposition to defendant's statement of material facts re <u>11</u> MOTION to Dismiss <i>or Alternatively for Summary Judgment</i> MOTION for Summary Judgment filed by ISAAC KELVIN ALLEN. (td) (Entered: 08/05/2016) |
| 08/04/2016 | <u>15</u> | MOTION to Take Judicial Notice Pursuant to Federal Rule of Evidence 201 by ISAAC KELVIN ALLEN (td) (Entered: 08/05/2016) |
| 08/11/2016 | <u>16</u> | ERRATA by ISAAC KELVIN ALLEN <u>14</u> Memorandum in Opposition filed by ISAAC KELVIN ALLEN. (td) (Entered: 08/15/2016) |
| 08/11/2016 | <u>17</u> | ERRATA by ISAAC KELVIN ALLEN <u>15</u> MOTION for Order filed by ISAAC KELVIN ALLEN. (td) (Entered: 08/15/2016) |
| 08/11/2016 | <u>18</u> | ERRATA by ISAAC KELVIN ALLEN <u>13</u> MOTION for Order filed by ISAAC KELVIN ALLEN. (td) (Entered: 08/15/2016) |
| 08/15/2016 | <u>19</u> | NOTICE OF WITHDRAWAL OF MOTION by FEDERAL BUREAU OF PRISONS re <u>11</u> MOTION to Dismiss <i>or Alternatively for Summary Judgment</i> MOTION for Summary Judgment , <i>Motion to Stay</i> , and <i>Response re 15 Plaintiff's Request to Take Judicial Notice</i> (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 08/15/2016) |
| 08/15/2016 | 20 | MOTION to Stay by FEDERAL BUREAU OF PRISONS. (See Docket Entry <u>19</u> to view document). (znmw) (Entered: 08/16/2016) |
| 08/15/2016 | 21 | RESPONSE re <u>15</u> MOTION for Order filed by FEDERAL BUREAU OF PRISONS. (See Docket Entry <u>19</u> to view document). (znmw) (Entered: 08/16/2016) |
| 08/16/2016 | <u>22</u> | ORDER denying <u>13</u> plaintiff's Request to Deny Defendant's Motion to Dismiss and/or Summary Judgment as moot; denying <u>15</u> plaintiff's Request to Take Judicial Notice Pursuant to Federal Rule of Evidence 201; and denying 20 defendant's Motion to Stay. See order for further instruction. Signed by Judge Colleen Kollar-Kotelly on 8/16/16. |

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| | | (ms) (Entered: 08/16/2016) |
| 08/16/2016 | | Set/Reset Deadlines: Defendant shall file a notice by 9/30/2016; If plaintiff challenges the BOPs response to FOIA Request Number 2016-01713, plaintiff shall file a notice with the Court by 10/11/2016; The parties, either jointly or separately, shall file a proposed schedule for resolution of any remaining issues by 10/31/2016; If plaintiff does not challenge the BOPs response, plaintiff shall file a notice of voluntary dismissal by 10/31/2016. (kt) (Entered: 08/16/2016) |
| 09/16/2016 | <u>23</u> | NOTICE by FEDERAL BUREAU OF PRISONS re <u>22</u> Order on Motion for Order,, Order on Motion to Stay,,, (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Schaefer, Daniel) (Entered: 09/16/2016) |
| 10/18/2016 | <u>24</u> | NOTICE by ISAAC KELVIN ALLEN (td) (Entered: 10/20/2016) |
| 10/31/2016 | <u>25</u> | NOTICE of Proposed Briefing Schedule by FEDERAL BUREAU OF PRISONS re <u>22</u> Order on Motion for Order,,,, Order on Motion to Stay, (Schaefer, Daniel) (Entered: 10/31/2016) |
| 11/04/2016 | | MINUTE ORDER: It is hereby ORDERED that defendant shall file its renewed motion for summary judgment by December 7, 2016; plaintiff shall file his opposition and cross-motion, if any, by January 9, 2017; defendant shall file its reply and opposition to plaintiff's cross-motion, if any, by February 7, 2017; and plaintiff shall file his reply, if any, by March 7, 2017. Signed by Judge Colleen Kollar-Kotelly on 11/4/16. (ms) (Entered: 11/04/2016) |
| 11/04/2016 | | Set/Reset Deadlines: Plaintiff's Cross Motions due by 1/9/2017. Response to Cross Motions due by 2/7/2017. Reply to Cross Motions due by 3/7/2017. Defendant's Summary Judgment motion due by 12/7/2016. Response to Motion for Summary Judgment due by 1/9/2017. Reply to Motion for Summary Judgment due by 2/7/2017. (dot) (Entered: 11/07/2016) |
| 12/07/2016 | <u>26</u> | MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 12/07/2016) |
| 12/08/2016 | <u>27</u> | MOTION for Summary Judgment by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit 1: Mack Decl., # <u>3</u> Exhibit 2: Suppl. Mack Decl., # <u>4</u> Exhibit 3: BOP Ltr., # <u>5</u> Statement of Facts, # <u>6</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 12/08/2016) |
| 12/09/2016 | | MINUTE ORDER: Defendant's <u>26</u> motion for a one-day extension of time is GRANTED. Signed by Judge Colleen Kollar-Kotelly on 12/9/16. (ms) (Entered: 12/09/2016) |
| 12/09/2016 | <u>28</u> | Order advising plaintiff to respond by 1/9/2017 to the <u>27</u> renewed MOTION for Summary Judgment filed by the FEDERAL BUREAU OF PRISONS, or the Court may treat the motion as conceded. Signed by Judge Colleen Kollar-Kotelly on 12/9/16. (ms) (Entered: 12/09/2016) |
| 01/17/2017 | <u>29</u> | Memorandum in opposition to re <u>27</u> Renewed MOTION for Summary Judgment filed by ISAAC KELVIN ALLEN. (td) (Additional attachment(s) added on 1/23/2017: # <u>1</u> Response to Statement of Facts) (td). (Entered: 01/23/2017) |
| 01/30/2017 | <u>30</u> | REPLY to opposition to motion re <u>27</u> MOTION for Summary Judgment filed by FEDERAL BUREAU OF PRISONS. (Schaefer, Daniel) (Entered: 01/30/2017) |
| 03/10/2017 | <u>31</u> | MOTION for 14 Day Extension of Time to File Response/Reply as to <u>27</u> MOTION for Summary Judgment by ISAAC KELVIN ALLEN (td) (Entered: 03/13/2017) |
| 03/10/2017 | <u>32</u> | MOTION to Take Judicial Notice Pursuant to Federal Rule of Evidence 201 by ISAAC KELVIN ALLEN (td) (Entered: 03/13/2017) |
| 03/10/2017 | <u>33</u> | SUPPLEMENTAL MEMORANDUM (Declaration of Isaac Kelvin Allen) in Direct Opposition of Supplemental Declaration of Violet Mack re <u>29</u> Memorandum in Opposition, <u>27</u> MOTION for Summary Judgment filed by ISAAC KELVIN ALLEN. (td) (Entered: 03/13/2017) |

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| 03/27/2017 | <u>34</u> | ORDER granting <u>31</u> Motion for Extension of Time to File Response to Defendant's Reply in Support of Renewed Motion for Summary Judgment, and the Clerk shall docket it as plaintiff's Surreply. Denying <u>32</u> Motion to Take Judicial Notice Pursuant to Federal Rule of Evidence 201. Signed by Judge Colleen Kollar-Kotelly on 3/27/16. (dot) (Entered: 03/27/2017) |
| 03/27/2017 | <u>35</u> | SURREPLY to re <u>27</u> MOTION for Summary Judgment filed by ISAAC KELVIN ALLEN. "Leave to file GRANTED" by Judge Colleen Kollar-Kotelly (td) (Entered: 03/29/2017) |
| 07/11/2017 | <u>36</u> | MEMORANDUM OPINION AND ORDER granting in part and denying in part <u>27</u> Defendant's Renewed Motion for Summary Judgment. Defendant shall file its second renewed motion for summary judgment by August 14, 2017. Signed by Judge Colleen Kollar-Kotelly on 7/11/17. (ms) Modified event title on 7/12/2017 (znmw). (Entered: 07/11/2017) |
| 08/14/2017 | <u>37</u> | MOTION for Extension of Time to File <i>Renewed Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 08/14/2017) |
| 08/14/2017 | <u>38</u> | MOTION for Reconsideration re <u>36</u> Order on Motion for Summary Judgment, by ISAAC KELVIN ALLEN (td) (Entered: 08/16/2017) |
| 08/30/2017 | | MINUTE ORDER: Defendant's <u>37</u> Motion for Extension of Time is granted, and its renewed motion for summary judgment is due by October 6, 2017. Signed by Judge Colleen Kollar-Kotelly on 8/30/17. (ms) (Entered: 08/30/2017) |
| 08/30/2017 | | Set/Reset Deadlines: Defendant's renewed motion for Summary Judgment due by 10/6/2017. (dot) (Entered: 08/30/2017) |
| 10/06/2017 | <u>39</u> | MOTION for Summary Judgment (<i>Second Renewed Motion for Summary Judgment</i>) by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Exhibit A – Supplemental Mack Declaration, # <u>2</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 10/06/2017) |
| 10/10/2017 | <u>40</u> | Order advising plaintiff to respond by 11/24/2017 to <u>39</u> Defendant's Second Renewed Motion for Summary Judgment. Signed by Judge Colleen Kollar-Kotelly on 10/10/17. (ms) (Entered: 10/10/2017) |
| 10/10/2017 | | Set/Reset Deadlines: Plaintiff's Response to <u>39</u> due by 11/24/2017. (dot) (Entered: 10/13/2017) |
| 11/27/2017 | <u>41</u> | MOTION for Extension of Time for Allowance of Time for Mailing by ISAAC KELVIN ALLEN (td) (Entered: 11/29/2017) |
| 12/04/2017 | | MINUTE ORDER: Plaintiff's <u>41</u> Motion for Extension of Time is granted, and his opposition or other response to Defendant's motion is due by December 8, 2017. Signed by Judge Colleen Kollar-Kotelly on 12/4/17. (ms) (Entered: 12/04/2017) |
| 12/04/2017 | <u>42</u> | RESPONSE re <u>39</u> MOTION for Summary Judgment (<i>Second Renewed Motion for Summary Judgment</i>) filed by ISAAC KELVIN ALLEN. (td) (Entered: 12/11/2017) |
| 12/18/2017 | <u>43</u> | REPLY to opposition to motion re <u>39</u> MOTION for Summary Judgment (<i>Second Renewed Motion for Summary Judgment</i>) filed by FEDERAL BUREAU OF PRISONS. (Attachments: # <u>1</u> Statement of Facts)(Schaefer, Daniel) (Entered: 12/18/2017) |
| 02/12/2018 | <u>45</u> | NOTICE of Transfer by ISAAC KELVIN ALLEN (td) (Entered: 02/15/2018) |
| 02/15/2018 | <u>44</u> | MEMORANDUM OPINION AND ORDER denying <u>38</u> plaintiff's Motion for Reconsideration; denying <u>39</u> Defendant's Second Renewed Motion for Summary Judgment; and ordering defendant to file third renewed motion for summary judgment by March 30, 2018. Signed by Judge Colleen Kollar-Kotelly on 2/15/18. (ms) Modified text on 2/16/2018 (td). (Entered: 02/15/2018) |
| 02/15/2018 | | Set/Reset Deadlines: Defendant to file third renewed Motion for Summary Judgment motion by 3/30/2018. (dot) (Entered: 02/15/2018) |

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| 03/08/2018 | <u>46</u> | NOTICE of Change of Address by ISAAC KELVIN ALLEN (td) (Entered: 03/12/2018) |
| 03/30/2018 | <u>47</u> | MOTION for Extension of Time to <i>File Third Renewed Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 03/30/2018) |
| 04/04/2018 | | MINUTE ORDER: Defendant's <u>47</u> Motion for Extension of Time is granted, and its third renewed motion for summary judgment is due by April 13, 2018. Signed by Judge Colleen Kollar-Kotelly on 4/4/18. (ms) (Entered: 04/04/2018) |
| 04/04/2018 | | Set/Reset Deadlines: Defendant's Third Renewed Summary Judgment Motion due by 4/13/2018. (dot) (Entered: 04/05/2018) |
| 04/09/2018 | <u>48</u> | Memorandum in opposition to re <u>47</u> MOTION for Extension of Time to <i>File Third Renewed Motion for Summary Judgment</i> filed by ISAAC KELVIN ALLEN. (td) (Entered: 04/12/2018) |
| 04/13/2018 | <u>49</u> | MOTION for Summary Judgment (<i>Third Renewed</i>) by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 04/13/2018) |
| 04/16/2018 | <u>50</u> | Order advising plaintiff to respond by 5/25/2018 to <u>49</u> Defendant's Third Renewed Motion for Summary Judgment. Signed by Judge Colleen Kollar-Kotelly on 4/16/18. (ms) (Entered: 04/16/2018) |
| 04/16/2018 | | Set/Reset Deadlines: Plaintiff's Response to <u>49</u> due by 5/25/2018. (dot) (Entered: 04/16/2018) |
| 05/18/2018 | <u>51</u> | RESPONSE re <u>49</u> MOTION for Summary Judgment (Third Renewed) filed by ISAAC KELVIN ALLEN. (tth) (Entered: 05/23/2018) |
| 05/18/2018 | <u>52</u> | NOTICE of Plaintiff's Proffered Settlement by ISAAC KELVIN ALLEN. (tth) (Entered: 05/23/2018) |
| 05/18/2018 | <u>53</u> | MOTION (Conditional) of Immediate Dismissal by ISAAC KELVIN ALLEN. (See Docket Entry <u>52</u> to view document) (tth) (Entered: 05/23/2018) |
| 05/30/2018 | <u>54</u> | REPLY to opposition to motion re <u>49</u> MOTION for Summary Judgment (<i>Third Renewed</i>) filed by FEDERAL BUREAU OF PRISONS. (Schaefer, Daniel) (Entered: 05/30/2018) |
| 05/30/2018 | <u>55</u> | RESPONSE re <u>52</u> Notice of Settlement, <u>53</u> MOTION to Dismiss filed by FEDERAL BUREAU OF PRISONS. (Schaefer, Daniel) Modified text and linkage on 5/31/2018 (ztd). (Entered: 05/30/2018) |
| 02/08/2019 | <u>56</u> | MEMORANDUM OPINION and ORDER granting in part and denying in part Defendant's Third Renewed Motion for Summary Judgment, ECF No. 49, and directing defendant to file its renewed motion for summary judgment by March 7, 2019. Signed by Judge Colleen Kollar-Kotelly on 2/8/19. (ms) (Entered: 02/08/2019) |
| 02/08/2019 | | Set/Reset Deadlines: Defendant's Renewed Summary Judgment Motion due by 3/7/2019. (dot) (Entered: 02/08/2019) |
| 03/07/2019 | <u>57</u> | MOTION for Summary Judgment (<i>Fourth Renewed Motion</i>) by FEDERAL BUREAU OF PRISONS (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 03/07/2019) |